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Fisheries Development (1948) Department

Ms SERIES.

G.O. No 507

Dated 6 8 948

[Despatch Abstract.]

Hindu Religious - Rules regulating the services of paid officers of Hindu Religious Institutions - Modification - proposal - Approved

Tele: "Religious"

Office of the Board of Commissioners
for Hindu Religious Endowments,
Madras-6.

Letter No. 65800/48-General-dated 24-6-1946.

From

M. Chinnaiya Pillai, M.A., B.L.,
President, Hindu Religious Endowments Board,
Madras.

To

The Secretary to the Government of Madras,
Firka Development Department, Fort St. George,
Madras.

Sir,

Sub: Hindu Religious Endowments - Rules regulating the servi
of Paid officers of Hindu Religious Institutions issued
in Board's Order No. 2001 Dated 20-7-1942- Modification
approval - requested.

Ref: G.O.No. 1684, Public Health dated 2-6-1942.
G.O.No. 2022, Public Health dated 2-8-1945.
G.O.No. 3005, Public Health dated 27-11-1946.
G.O.No. 207, Public Health dated 21-1-1945.

I have the honour to state that Government have approved from time to time the rules framed by the Board regulating the services o the Paid Officers of Hindu Regligious Institutions in their orders referred to above, These rules have been embodied and issued in th Board's Order No. 2001 of 1942 as modified from time to time. A cop of the said rules as amended up-to-date is enclosed for reference.

According to rule 12 (b) of the rules framed and approved i Board's Order No. 2001 of 1942 as it stands at present, an Officer may be granted not more than 15 days casual leave in a Calendar yea Consequent on the abolition of all sectional holidays now being gran ed to the various communities, the Government in their order Ms.No. 1015, Public (General) Dated 29th April 1948, have decided that the number of days of Casual leave permissible per year shall, with eff effect from this year, be increased from 15 to 20 days. The maximum period for which a Government servant may absent himself continuousl on casual leave (including holidays) shall continue to be ten days. These rules apply to the Board also. In the case of those institutio notified by Government under Section 65-A of the Act, the Executive Officers and the members of their establishment have been held to be eligible for Casual leave like servants of the Board under the rules framed by the Board under section 65(c) (2) of the Act. The incre se in the number ofdays of casual leave now sanctioned to Board's servants will have therefore to be made applicable to such Executive Officers also. In the case of Officers of the Board or Government whose services have been lent to Hindu Religious Institutions a similar increase of Casual leave will also have to be given effect t The increase has been sanctioned by Government due to the curtailmen of the Public holidays. As transfers of Executive Officers have to be made from one institution to another it is necessary in the inter ests of administration and reasonable that all Paid Officers have th same privileges accorded to them in the matter of casual leave. Thi subject was considered by the Board at its meeting held on 14.6.1948 when it was resolved to grant the increase in Casual leave and to request the Government to amend the rule 12 (b) of the rules approve and issued in Board's Order No. 2001 of 1942 as follows:-

"12 (b) An officer may be granted not more than 20 days casua leave in a calender year. The maximum period for which he may absen himself continuously on casual leave (includingholidays) shal l be ten days."

I have therefore the honour to request that the Government may be pleased to apprve this amendment to the rule 12(b) of the rules regulating the services of Paid Officers of Hindu Religigus Institutions appointed by the Board.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/ x x x x x
President.

SP.

Office of the Hindu
Religious Endowments Board
Madras.

Issued by B.O.No. 2001 D/20-7-1942 as modified upto 1-7-1946.

RULES REGULATING THE SERVICES OF PAID EXECUTIVE OFFICERS, TRUSTEES, MANAGERS, SUPERINTENDENTS, AND OTHER PAID SERVANTS APPOINTED BY THE HINDU RELIGIOUS ENDOWMENTS BOARD FOR INSTITUTIONS COMING UNDER THE HINDU RELIGIOUS ENDOWMENTS ACT.

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1. Unless there is anything repugnant to the context, the word ("Officer" in these rules, shall means and include all paid Executive Officers, Trustees, Managers, Superintendents and other paid servants appointed by the Board for temples, maths and specifi endowments attached thereto under the Hindu Religious Edndowments Act and the word institution' shall mean and include a temple or a math as defined in the Act or a specif endowment attached to such temple or math.

2. No person shall be eligible for appointment as an officer on a salary of Rs. 40/- or more, a month unless he is qualified under the Public Service Notification for the time being in force for entry into the superior service under Government. No person who is not a B.A., or B.Sc. of a University in the province shall be eligible for appointment to posts carrying a salary of 175/- a month.

3. No person whose age exceeds 50 shall be directly recruited to service as an officer. Recruitment may be by direct appointment, by getting the loan of the services of a Government servant, or by lending the services of an officer or servant of the Board. Provided that the Board may, for reasons to be recorded in writing exempt persons whose age exceeds 50 years.

4. For purposes of the pay to be fixed for the officers and the nature and amount of the security to be furnished by them, mathos, temples and specific endowments attaghed thereto shall be classified as hereunder, and the rates of pay and the security to be furnished shall be as stated against each class of institutions:

Class No.	Annual Income.	Pay to be fixed.	Security in cash.	Security of Immovables.
I.	Not exceeding Rs. 3,000/-	15% of the annual income of more subject to a maximum of Rs. 25/- a month.	Rs. 250/-	Not less than Rs. 500/- provided that in the case of institutions getting an annual income of below Rs. 1,000/- the Board, may reduce or waive the Security.
II.	From Rs. 3001 to Rs. 7,500/-	Not exceeding 10% of the annual income subject to a maximum of Rs. 60/- a month.	Rs. 500/-	Not less than Rs. 1000/-
III.	From Rs. 7501 to Rs. 25,000/-	Not exceeding 10% of the annual income subject to a maximum of Rs. 100/- a month.	Rs. 1000/-	Not less than Rs. 2000/-
IV.	From Rs. 25,001 to Rs. 50,000/-	Not exceeding 5% of the annual income subject to a maximum of Rs. 200/- a month.	Rs. 2000/-	Not less than Rs. 4000/-

·※ transfer to a higher class y institutions.

Class No.	Annual Income	Pay to be fixed.	Security in Cash	Secutity of Immovables
V.	Over Rs.50,000/-	Note exceeding 5% of the annual income subject to a maximum of Rs. 350/-	Rs. 4,000/.	Not less than Rs. 8000/-

Provided that Board may in cases of institutions, where all or any of the properties belonging to them are not in their poessession, waive or reduce the amount of security to be furnished by the paid officers appointed to them or impose such conditions regarding the furnishing of security as may be deemed fit in the circumstances of each case.

5. Where the maximum pay laid down in rule 4 above is less tha than the maximum pay laid down in any scheme under the Act, the scale laid down in these rules shall apply; and where the maximum pay laid down in rule 4 above is in excess of the maximum laid down in any such scheme the provisions of the scheme shall prevail,. The salary now drawn by, or the scale, of appay of, any officer now in office shall not however be affected by these rules.

6. The pay and allowance of an officer shall be paid from out of the funds of the institution concerned and the Board shall in no case be liable for the same.

7. Where an institution in respect of which an officer is appointed has no fund on hand to pay the salary of the officer either because the properties of the institution are all alienated or in adverse possession for other reasons, the appointment of the officer shall be made only as an interim arrangement on such pay as may be fixed and the order shall also specify the funds from which or the manner in which the pay of thee officer shall be paid, the expenditure being ultimately to be borne by the temple. The funds of the Board shall in no case be liable for thea same.

8. No officer shall continue in office if he does not furnish the prescribed security with in 3 months from the date of his appointment. It shall be competent for the Board to grant him time for furnishing securi ty. Any additional security that shall have to be paid by an officer by reason of his transfer to a higher class of institutions ~~abs~~ shall have to be paid by an officer by reasons of his transfer shall be paid by him within a period of 3 months, from the date of such transfers or such further time as may be granted by the Board.

9. Whenever a Government servant, or an officer or servant of the Board is appointed as an officer of an institution or after such appoint ment is transferred to another institution, such extra allowances as he will be entitled to under the Fundamental or other Rules applicable to him and such contributions towards pension, provident fund or leave salary as are payable under the a said rules shall also be met from the funds of the institution to which he is so appointed or transferred.

10.(1) Every appointment of an Officer shall be subject to probation for a period of 2 years. On duty within a period of 3 years. Such probation may be either in the said post or in any other post with similar duties.

(2) The Board may, before the expiry of the period of probation or, where the probation has been extended under the proviso to sub rule (3) before the expiry of such extended period of probation for reasons to be specified in writing, terminate the probation of any officer and revert him to his permanent post if he is already permanent officer of discharge him from service in other cases.

(3) If, at the end of the prescribed period of probation, the Board does not consider the probationer suitable for confirmation, the Board shall discharge him from service;

Provided that the Board may in its discretion, instead of discharging the probationer, extend the period of his probation by a period which shall in no case be longer than one year from the date of the expiry of the prescribed period of probation and if, at the end of such extended period, the Board does not consider the proationer suitable for confirmation he shall be discharged.

(4) If, at the end of the prescribed or extended period of probation the Board considers the probationer suitable for confirmation, an order declaring the probationer to have satisfactorily completed his probation shall be issued as soon as possible. On the issue of such an order, the Probationer shall be deemed to have satisfactorily completed his probation on the date of the expiry of the prescribed probation or as the case may be, the extended period of probation.

(5) (a) An officer shall, on appointment by the Board for an institution, undergo training for one month in the office of the Board or in that of an assistant commissioner as may be decided by the President of the Board.

Provided that in any case the Board may, if it deems fit at the time of appointment, decided that the training shall be undergone after the officer assumes charge of his duties in the institution for which he is appointed.

(b) An officer undergoing training shall be eligible to draw from out of the funds of the institution for which he is appointed, such pay as may be fixed by the Board but not more than the minimum pay admissible for the post.

(c) The preseident shall decide whether an officer has satisfactorily completed his training or otherwise.

(d) An officer who has satisfactorily completed his training shall serve in the institution from which he draw his pay during the training period, ordinarily for not less than one year, unless it is found necessary in the interests of the institution that he should not continue to so serve during that period.

(e) No officer shall be confirmed unless e he completes the training to the satisfaction of the President, as said above.

11. An officer of one institution may be transferred by the Board to the service of any other institution. Not more than seven calende days shall be availed of as joining time by an officer on transfer. The institution from the funds of which the travelling allowance and trainsit pay of any officer so transferred shall be payable and the pay to be fixed to the officer on such transfer shall also be incorporated in the said orders of transfer.

12. (a) Application for any kind of leave from an Officer shal be made to the Board which may either sanction or refuse the same.

(b) An officer may be granted not more than 20 days casual leave in a calendar year.

(c) A permanent officers shall earn leave at the rate of 1/11th of the period spent on duty provided that he shall cease to earn leave while he has to his credit such leave amounting to ninety days. The maximum amount of earned leave that may be granted at a time shall not exceed thirty days.

(d) Leave on medical certificate may be granted to a permanent officer for a period of one hundred and eighty days in his total service, provided that not more than thirty days of leave on medical certificate shall be granted at a time.

(e) Leave on medical certificate may be combined with earned leave, but the total amount of leave so combined shall be limited to sixty days.

(f) Non-permanent officers shall not be eligible for any leave other than casual leave.

(g) While on earned leave, leave salary shall be paid to an officer equal to his pay, and while on leave on medical certificate leave salary shall be paid to an officer equal to half of his pay.

(h) Service in one institution will count for purposes of leave, leave salary, fixation of pay and increments in another institution.

(i) Leave on loss of pay may be granted in special circumstances to permanent as well as non-permanent officers when no other leav

leave is admissible under these rules, or when the authority competent to sanction the leave decided in its discretion to grant leave on loss of pay or when the applicant himself applies in writing for the grantof leave on loss of pay.

Provided that in the case of non-permanent officers, leave on loss of pay may be granted only up to a limit of 60 days at any time and he shall cease to be in service if at the expiry of the said 60 days he does not join duty.

A permanent officer shall cease to be in service if he is continuously absent from duty on any kind of leave or otherwise for more than one year.

13.(1) Whenever an officer (other than a Government Servant or an officer of servant of the Board) is granted leave other than casual leave the Board shall pass orders as to the institution that should contribute towards the leave salary of such officer.

(2) The leave salary of an officer shall be paid by the institution from which he takes leave provided he has under the rules earned in that institution, the full leave sanctioned to him. If the leave with pay sanctioned to him is more than the number of days for which he has earned such leaves in that institution, then, the leave salary shal be borne by the said institution and the institution or institutions in wh which he did duty immediately prior to his transfer to the institution from which he goes on leave in the reverse order of institutions and where in he has leave to his credit to satisfy the leave sanctioned, to the full extent of the number of days of leave earned by him and for which he is eligible in each of the said institutions. Particulars in this regard should be given in his applicabion for leave.

14. The provisions of rules 1,2,3,4,5,6,7,8,9,10,11,12,13,14 15,16, and 17 of the conduct rules framed in G.O.No. 10 Public Health date 3-1-1938 shall mutatis mutandis apply to all officers. Rule 3 of the rule in the above G.O. will also apply subject to the provisio that an officer may take part in the collection of subscriptions for purposes connected wi with the religious institutions or other public or local purposes with the previous sanction of the Board.

15. The services of an officer may be terminated by the Board if the post is found to be unnecessary, or if the officer is absent on leave for a period exceeding one hundred and twenty days at a time, provided that not less than one month's notice shall be given to the officer before such termination.

16. An officer may be fined, reduced suspended, removed or dismissed by the Board for breach of rules or discipline, disobedinece of lawful order non-payment of contribution or other dues to the Board, for carelessness, unfitness, neglect of duty or misconduct or other sufficient cause.

Explanation: A grave and well-grounded suspicion that an Officer is guilty of neglect of duty or misconduct shall be deemed to be sufficient cause within the meaning of this rule.

17. No order imposing any substative punishment other than a fine under the preceding rule on any officer (other than an order based on facts which have led to his conviction in a criminal court) shall be passed unless he has been informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges which shall be communicated to the person charged, together with a statement of the allegations on which each charge is based, and of any other circumstances which it is proposed to take into consideration in passing orders in the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires on oral enquiry or only to be heard in person. An oral enquiry shall be held if such an enquiry is desired by the person charged or is directed by the authority concerned. At that enquiry oral evidence shall be heard as to such of the allegations as are not admitted, and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the officer conducting the inquiry, may for special and sufficient reason to be recorded in writing refuse to call a witness. After the inquiry has been compl ted, the person charged shall be entitled to put in if he so desires any

any further written statement of his defence. If no oral enquiry is held and if he had desired to be heard in person, a personal hearing shall be given to him. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds theref.

This rule shall not apply, when the person concerned has absconded, or it is for other reasons impracticable to communicate with him. All or any of the provisionsof this rule may in exceptional cases for special and sufficient reasons to be recorded in writing, be waived by officer holding the enquiry where there is difficulty in observing exactly the requirements of the regulation and those requirements can be waived without justice to the person charged.

18. An order suspending, reducing, removing or dismission an Officer and confirmed and under rule 37 C of the rules framed under section 71(1)of the Act and an order imposing a fine shall be final.

19. The date of compulsory retirement of an officer shall be date on which he attains the aged of fifty five years. He may be retained in service after that date till he attains the age of sixty with the special sanction of the Board, provided however that such extensions are made year after year and the grounds of such extensions are recorded at the time of such annual extensions and provided also that an officer shall not be retained after the age of sixty on any ground whatsoever.

20. (1) Notwithstanding anything to the contrary cohtained in the order of appointment of any officer now holding office the provisions in these rules relating to qualifications and retirement shall apply to all such officers.

Provided that the rules relating to qualifications shall not apply to those now holding office subject to the condition that no existing officer who is not qualified for entry into public services shall be eligible for promotion to posts carrying a pay of Rs.40/- and above and that no existing officer who is not a graduate shall be promoted to a post carrying a pay of Rs. 175/-

And provided that the Board may specially exempt any person found to be fit and proper by the Board from possessing the requisite educational qualifications and appoint or promote such persons to posts carrying a salary not exceeding Rs. 100/-.

(2) Wherever there is conflict between these rules and the provisions of a scheme or Board's Order defining the powers and duties of Executive Officers under section 65-C of the Act, the latter shall prevail.

G.Os. refined to on page 1 ante required for reference are put up in another file on the same subject and circulated to Hon. Premier 26-6-1948. This may be over till 10-6-1948 or till the receipt of the papers which ever is earlier.

Sd/-x x x x x xx

X SP.

Government of Madras
Abstract

Hindu Religious Endowment - Rules regulating the services of paid offic of Hindu Religious Institutions - Modification - Proposals- Approved.

Firka Development
Department

G.O.Ms.No. 507. Dated the 6th August 1948.
READ the following:-

G.O.No. 1664, Public Health dated 2.6.42.
From the President Hindu Religious Endowments Board No. 65800/48-dated 24.6.1948.

O R D E R:-

The Government approve the amendment proposed by the Hindu Religious Endowment Board to rule 12 (b) of the rules regulating the services of paid officers of Hindu Religious Institution under the Control of the Board.

Sd/-x x x x x

To
The President, Hindue Religious Engowments Board.
The Examiner, Local Fund Accounts.

/True copy/

Office Assistant,
Madras Record Office.

SP/6.1.